

--	--

- [Query](#)
- [Reports](#)
- [Utilities](#)
- [Logout](#)

CLOSED

**District Court of the Virgin Islands
District of the Virgin Islands (St. Croix Division)
CIVIL DOCKET FOR CASE #: 1:09-cv-00040-TJS**

MOUNT EAGLE PROPERTIES, LLC et al v. Internal Revenue Service
Assigned to: US District Judge Timothy J Savage
Related Case: [1:09-cv-00071-TJS](#)
Cause: 05:552 Freedom of Information Act

Date Filed: 07/08/2009
Date Terminated: 09/29/2010
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff

MOUNT EAGLE PROPERTIES, LLC

represented by **David Marshall Nissman**
McChain Nissman Law Group
53A Company Street
Christiansted, VI 00820
340-719-0601
Fax: 340-719-0602
Email: dnissman@yahoo.com
ATTORNEY TO BE NOTICED

Plaintiff

NORTHSTAR INVESTMENTS, LLC

represented by **David Marshall Nissman**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

US VIKING, LLC

represented by **David Marshall Nissman**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

WILLIAM V NEVILLE, III

represented by **David Marshall Nissman**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

CONNIE J. NEVILLE

represented by **David Marshall Nissman**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

ELIZABETH L. NEVILLE

represented by **David Marshall Nissman**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

WILLIAM V NEVILLE, IV

represented by **David Marshall Nissman**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Internal Revenue Service

represented by **Angela Tyson-Floyd**
U.S. Attorney's Office
1108 King Street, Suite 201
St Croix, VI 00820
340-773-3920
Fax: 340-773-1407
Email: Angela.P.Tyson-Floyd@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gerald Alan Role

Tax Division, U.S Department of Justice
P O Box 227
Washington, DC 20044

202-307-0461
 Fax: 202-514-6866
 Email: gerald.a.role@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/08/2009	<u>1</u>	COMPLAINT against Internal Revenue Service filed by MOUNT EAGLE PROPERTIES, LLC, NORTHSTAR INVESTMENTS, LLC, US VIKING, LLC, WILLIAM V NEVILLE, III, CONNIE J. NEVILLE, ELIZABETH L. NEVILLE, WILLIAM V NEVILLE, IV. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Civil Cover Sheet) (Nissman, David) (Entered: 07/08/2009)
07/09/2009	<u>2</u>	Summons Issued as to Internal Revenue Service c/o Paul Murphy. (TNS) (Entered: 07/10/2009)
07/09/2009	<u>3</u>	Summons Issued as to Internal Revenue Service c/o Douglas Shulman. (TNS) (Entered: 07/10/2009)
07/09/2009	<u>4</u>	Summons Issued as to Internal Revenue Service c/o The Honorable Eric Holder. (TNS) (Entered: 07/10/2009)
07/09/2009		Filing fee: PAID \$ 50.00, receipt number 100000036 (TNS) (Entered: 07/23/2009)
09/17/2009	<u>5</u>	ANSWER to <u>1</u> Complaint, by Defendant Internal Revenue Service. (Attachments: # <u>1</u> Certificate of Service) (Role, Gerald) (Entered: 09/17/2009)
10/16/2009	<u>6</u>	ORDER REASSIGNING CASE (CVG). Case reassigned to US District Judge Timothy J. Savage for all further proceedings. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (OS) (Entered: 10/16/2009)
01/28/2010	<u>7</u>	SCHEDULING ORDER:(TJS) dated 1/28/2010 Status Conference set for 2/3/2010 03:00 PM in Visiting Judge Ctrm 2 STX before US District Judge Timothy J Savage. (CB) (Entered: 01/28/2010)
01/30/2010	<u>8</u>	NOTICE of Appearance (Tyson-Floyd, Angela) (Entered: 01/30/2010)
02/02/2010	<u>9</u>	REPORT of Rule 26(f) Planning Meeting. (Attachments: # <u>1</u> Exhibit Plaintiff's Initial Disclosure) (Nissman, David) (Entered: 02/02/2010)

02/03/2010	<u>1</u> <u>0</u>	MOTION to Consolidate Cases by Plaintiffs MOUNT EAGLE PROPERTIES, LLC, NORTHSTAR INVESTMENTS, LLC, WILLIAM V NEVILLE, III, CONNIE J. NEVILLE, ELIZABETH L. NEVILLE, WILLIAM V NEVILLE, IV. (Nissman, David) (Entered: 02/03/2010)
02/03/2010	<u>1</u> <u>1</u>	MOTION to Consolidate Cases by Plaintiff US VIKING, LLC. (Nissman, David) (Entered: 02/03/2010)
02/04/2010	<u>1</u> <u>2</u>	ORDER (TJS) dated 2/5/2010 granting <u>10</u> <u>11</u> Motions to Consolidate Cases. (CB) (Entered: 02/04/2010)
02/10/2010	<u>1</u> <u>3</u>	SCHEDULING ORDER:(TJS) dated 2/9/2010 Discovery due by 4/9/2010. Motions due by 6/7/2010. Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (CB) (Entered: 02/10/2010)
05/07/2010	<u>1</u> <u>4</u>	MOTION for Summary Judgment by Defendant Internal Revenue Service. (Attachments: # <u>1</u> Affidavit Armstrong, # <u>2</u> Affidavit Brewer) Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 05/07/2010)
05/07/2010	<u>1</u> <u>5</u>	STATEMENT OF UNDISPUTED FACTS in Support re (18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment filed by Defendant Internal Revenue Service. Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 05/07/2010)
05/07/2010	<u>1</u> <u>6</u>	MEMORANDUM in Support re (18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment filed by Defendant Internal Revenue Service. Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 05/07/2010)
05/07/2010	<u>1</u> <u>7</u>	CERTIFICATE OF SERVICE by Internal Revenue Service re (15 in 1:09-cv-00040-TJS, 19 in 1:09-cv-00071-TJS) Statement of Undisputed Facts in Support of Motion, (20 in 1:09-cv-00071-TJS, 16 in 1:09-cv-00040-TJS) Memorandum in Support to Motion, (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 05/07/2010)
05/26/2010	<u>1</u> <u>8</u>	MOTION for Leave to File Excess Pages by Plaintiffs MOUNT EAGLE PROPERTIES, LLC, MOUNT EAGLE PROPERTIES, LLC, CONNIE J. NEVILLE, ELIZABETH L. NEVILLE, WILLIAM V NEVILLE, III, WILLIAM V NEVILLE, IV, NORTHSTAR INVESTMENTS, LLC, US VIKING, LLC. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order) Associated Cases: 1:09-cv-00071-TJS, 1:09-cv-00040-TJS (Nissman, David) (Entered: 05/26/2010)

05/26/2010	<u>1</u> <u>9</u>	Opposition to Motion re (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment filed by Plaintiffs MOUNT EAGLE PROPERTIES, LLC, MOUNT EAGLE PROPERTIES, LLC, CONNIE J. NEVILLE, ELIZABETH L. NEVILLE, WILLIAM V NEVILLE, III, WILLIAM V NEVILLE, IV, NORTHSTAR INVESTMENTS, LLC, US VIKING, LLC. (Attachments: # <u>1</u> Text of Proposed Order) Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Nissman, David) (Entered: 05/26/2010)
05/26/2010	<u>2</u> <u>0</u>	MEMORANDUM in Support of Opposition re (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment filed by Plaintiffs MOUNT EAGLE PROPERTIES, LLC, MOUNT EAGLE PROPERTIES, LLC, CONNIE J. NEVILLE, ELIZABETH L. NEVILLE, WILLIAM V NEVILLE, III, WILLIAM V NEVILLE, IV, NORTHSTAR INVESTMENTS, LLC, US VIKING, LLC. (Attachments: # <u>1</u> Text of Proposed Order) Associated Cases: 1:09-cv-00071-TJS, 1:09-cv-00040-TJS (Nissman, David) (Entered: 05/26/2010)
05/26/2010	<u>2</u> <u>1</u>	MEMORANDUM in Support of Opposition re (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment filed by Plaintiffs MOUNT EAGLE PROPERTIES, LLC, MOUNT EAGLE PROPERTIES, LLC, CONNIE J. NEVILLE, ELIZABETH L. NEVILLE, WILLIAM V NEVILLE, III, WILLIAM V NEVILLE, IV, NORTHSTAR INVESTMENTS, LLC, US VIKING, LLC. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Statement of Facts, # <u>3</u> Response to Statement of Facts, # <u>4</u> Declaration of William Neville III, # <u>5</u> Exhibit A to Neville Decl., # <u>6</u> Exhibit B to Neville Decl., # <u>7</u> Exhibit C to Neville Decl., # <u>8</u> Exhibit D to Neville Decl., # <u>9</u> Exhibit E to Neville Decl., # <u>10</u> Exhibit F to Neville Decl., # <u>11</u> Declaration of Sheldon Kay, # <u>12</u> Exhibit A to Kay Decl., # <u>13</u> Exhibit B to Kay Decl., # <u>14</u> Exhibit C to Kay Decl., # <u>15</u> Exhibit D to Kay Decl., # <u>16</u> Exhibit E to Kay Decl., # <u>17</u> Exhibit F to Kay Decl., # <u>18</u> Exhibit G to Kay Decl., # <u>19</u> Exhibit H to Kay Decl., # <u>20</u> Exhibit I to Kay Decl., # <u>21</u> Exhibit J to Kay Decl., # <u>22</u> Exhibit K to Kay Decl., # <u>23</u> Exhibit L to Kay Decl., # <u>24</u> Exhibit M to Kay Decl.) Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Nissman, David) (Entered: 05/26/2010)
05/27/2010	<u>2</u> <u>2</u>	ORDER (TJS) dated 5/27/2010 granting (18) Motion for Leave to File Excess Pages in case 1:09-cv-00040-TJS; granting (22) Motion for Leave to File Excess Pages in case 1:09-cv-00071-TJS Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (CB) (Entered: 05/27/2010)
06/04/2010	<u>2</u> <u>3</u>	Consent MOTION for Extension of Time to File Response/Reply as to (23 in 1:09-cv-00071-TJS, 19 in 1:09-cv-00040-TJS) Opposition to Motion, (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment by Defendant Internal Revenue Service. Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 06/04/2010)

06/04/2010	2 4	MEMORANDUM in Support re (27 in 1:09-cv-00071-TJS, 23 in 1:09-cv-00040-TJS) Consent MOTION for Extension of Time to File Response/Reply as to (23 in 1:09-cv-00071-TJS, 19 in 1:09-cv-00040-TJS) Opposition to Motion, (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary JudgmentConsent MOTION for Extension of Time to File Response/Reply as to (23 in 1:09-cv-00071-TJS, 19 in 1:09-cv-00040-TJS) Opposition to Motion, (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment filed by Defendant IRS. Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 06/04/2010)
06/04/2010	2 5	CERTIFICATE OF SERVICE by IRS re (23 in 1:09-cv-00040-TJS) Consent MOTION for Extension of Time to File Response/Reply as to (23 in 1:09-cv-00071-TJS, 19 in 1:09-cv-00040-TJS) Opposition to Motion, (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary JudgmentConsent MOTION for Extension of Time to File Response/Reply as to (23 in 1:09-cv-00071-TJS, 19 in 1:09-cv-00040-TJS) Opposition to Motion, (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment, (24 in 1:09-cv-00040-TJS) Memorandum in Support to Motion,, Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 06/04/2010)
06/07/2010	2 6	ORDER (TJS) dated 6/7/2010 granting 23 and 27 Motion for Extension of Time to File Reply its Reply Brief in Support of MOTION for Summary Judgment. Responses due by 6/18/2010 Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (CB) (Entered: 06/07/2010)
06/18/2010	2 7	REPLY to Opposition to Motion re (14 in 1:09-cv-00040-TJS, 18 in 1:09-cv-00071-TJS) MOTION for Summary Judgment filed by Defendant Internal Revenue Service. (Attachments: # 1 Exhibit A) Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 06/18/2010)
06/18/2010	2 8	REPLY to re (21 in 1:09-cv-00040-TJS) Memorandum in Support of Opposition,,, filed by Plaintiff NORTHSTAR INVESTMENTS, LLC, MOUNT EAGLE PROPERTIES, LLC, Plaintiff WILLIAM V NEVILLE, IV, Plaintiff CONNIE J. NEVILLE, Plaintiff WILLIAM V NEVILLE, III, Plaintiff ELIZABETH L. NEVILLE, Plaintiff US VIKING, LLC filed by Defendant Internal Revenue Service. Responses due by 7/1/2010 (Attachments: # 1 Affidavit (Declaration of Gerald A. Role), # 2 Exhibit A, # 3 Exhibit B) Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 06/18/2010)
06/18/2010	2 9	CERTIFICATE OF SERVICE by Internal Revenue Service re (27 in 1:09-cv-00040-TJS) Reply to Opposition to Motion, (28 in 1:09-cv-00040-TJS) Reply to,, Associated Cases: 1:09-cv-00040-TJS, 1:09-cv-00071-TJS (Role, Gerald) (Entered: 06/18/2010)
09/01/2010	3 0	STIPULATION of Dismissal <i>with Prejudice</i> by Internal Revenue Service. (Role, Gerald) (Entered: 09/01/2010)
09/29/2010	3	ORDER DISMISSING CASE with prejudice. (TJS) dated 9/29/2010 (CB) (Entered: 09/29/2010)

	<u>1</u>	09/29/2010)
--	--------------------------	-------------

PACER Service Center			
Transaction Receipt			
09/23/2011 09:26:08			
PACER Login:	pb0232	Client Code:	foiaproj
Description:	Docket Report	Search Criteria:	1:09-cv-00040-TJS
Billable Pages:	4	Cost:	0.32